

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

**FIFTY-SECOND LEGISLATIVE DAY
WEDNESDAY, MARCH 2, 2016**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Representative Kauffman.

The Pledge of Allegiance was led by Emilee Krein, Page.

3RD ORDER Approval of Journal

March 2, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-first Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

4TH ORDER Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 1, 2016

The Honorable Scott Bedke
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 352](#), [H 359](#), [H 360](#), and [H 376](#)

As Always - Idaho, "Esto Perpetua"
/s/ C.L. "Butch" Otter
Governor

March 1, 2016

Mr. Speaker:

I return herewith enrolled [HCR 42](#) and [HCR 30](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [HCR 42](#) and [HCR 30](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

March 1, 2016

Mr. Speaker:

I transmit herewith enrolled [S 1208](#) and [S 1202](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1208](#) and [S 1202](#) and, when so signed, ordered them returned to the Senate.

March 1, 2016

Mr. Speaker:

I transmit herewith [S 1285](#), as amended, [S 1280](#), as amended, and [S 1288](#) which have passed the Senate.

NOVAK, Secretary

[S 1285](#), as amended, [S 1280](#), as amended, and [S 1288](#) were filed for first reading.

5TH ORDER Report of Standing Committees

March 2, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 50](#), [H 553](#), [H 554](#), [H 555](#), and [H 556](#).

WILLS, Chairman

[HCR 50](#) and [H 556](#) were filed for second reading.

[H 553](#) was referred to the Transportation and Defense Committee.

[H 554](#) was referred to the Commerce and Human Resources Committee.

[H 555](#) was referred to the Judiciary, Rules, and Administration Committee.

March 2, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed House amendments to [H 413](#), [H 477](#), [H 443](#), [H 406](#), and [H 513](#).

WILLS, Chairman

March 2, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 413](#), as amended, [H 477](#), as amended, [H 443](#), as amended, [H 406](#), as amended, and [H 513](#), as amended.

WILLS, Chairman

[H 413](#), as amended, [H 477](#), as amended, [H 443](#), as amended, [H 406](#), as amended, and [H 513](#), as amended, were filed for first reading of engrossed bills.

March 1, 2016

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 533](#) and [S 1268](#) and recommend that they do pass.

WOOD, Chairman

[H 533](#) and [S 1268](#) were filed for second reading.

March 1, 2016

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1232](#), [S 1267](#), and [S 1290](#) and recommend that they do pass.

DEMORDAUNT, Chairman

[S 1232](#), [S 1267](#), and [S 1290](#) were filed for second reading.

March 1, 2016

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [SCR 146](#) and recommend that it do pass.

LOERTSCHER, Chairman

[SCR 146](#) was filed for second reading.

March 1, 2016

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [H 521](#) and recommend that it do pass.

WILLS, Chairman

[H 521](#) was filed for second reading.

March 1, 2016

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 538](#) and [HCR 48](#) and recommend that they do pass.

HARTGEN, Chairman

[H 538](#) and [HCR 48](#) were filed for second reading.

March 1, 2016

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [S 1339](#) and recommend that it do pass.

RAYBOULD, Chairman

[S 1339](#) was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

8TH ORDER Introduction, First Reading, and Reference of Bills and Joint Resolutions

House of Representatives
State of Idaho

February 26, 2016

The Honorable Richard Wills, Chairman
Judiciary, Rules, and Administration Committee

Dear Representative Wills:

I hereby designate the Judiciary, Rules, and Administration Committee a privileged committee on Tuesday, March 1, 2016, for the purpose of introducing RS 24623 (H 558).

Sincerely,
/s/ Scott Bedke
Speaker of the House

HOUSE BILL NO. 557 BY HEALTH AND WELFARE COMMITTEE AN ACT

RELATING TO YOUTH ATHLETE CONCUSSIONS; AMENDING SECTION 33-1625, IDAHO CODE, TO PROVIDE THAT CERTAIN SPORTS OFFICIALS SHALL REVIEW CONCUSSION AND HEAD INJURY GUIDELINES AND REQUIREMENTS BIENNIALY, TO REQUIRE WRITTEN CONFIRMATION OF RECEIPT OF CONCUSSION GUIDELINES, WRITTEN ACKNOWLEDGMENT OF RISK AND WRITTEN AUTHORIZATION TO PARTICIPATE IN ATHLETIC ACTIVITIES, TO PROVIDE FOR MONITORING OF A STUDENT SUSPECTED OF CONCUSSION AFTER RETURNING TO SCHOOL AND PROVIDING REQUIREMENTS BEFORE A STUDENT MAY RETURN TO ATHLETIC ACTIVITIES.

HOUSE BILL NO. 558 BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE AN ACT

RELATING TO THE UNIFORM PROBATE CODE; AMENDING SECTION 15-5-409a, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS MAY PETITION FOR A COMPROMISE OF THE CLAIM OF A MINOR, TO PROVIDE FOR THE ORDER OF PRIORITY TO MAKE A PETITION, TO AUTHORIZE A COURT TO PASS OVER A PERSON HAVING PRIORITY UNDER CERTAIN CONDITIONS, TO PROVIDE REQUIREMENTS FOR A PETITION, TO AUTHORIZE A COURT TO TAKE CERTAIN ACTIONS REGARDING A COMPROMISE, TO PROVIDE FOR APPROVAL OF A COMPROMISE AND PAYMENT AND TO PROVIDE THAT NO FILING FEE SHALL BE CHARGED FOR THE FILING OF A PETITION.

[H 557](#) and [H 558](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1285](#), as amended, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

[S 1280](#), as amended, by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

[S 1288](#), by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Commerce and Human Resources Committee.

9TH ORDER First Reading of Engrossed Bills

[H 413](#), as amended, by Transportation and Defense Committee, was introduced, read the first time by title, and filed for second reading.

[H 477](#), as amended, by Education Committee, was introduced, read the first time by title, and filed for second reading.

[H 443](#), as amended, and [H 406](#), as amended, by Local Government Committee, were introduced, read the first time by title, and filed for second reading.

[H 513](#), as amended, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

10TH ORDER**Second Reading of Bills and Joint Resolutions**

[H 546](#), [H 547](#), [H 548](#), [H 549](#), [H 550](#), [H 551](#), and [H 552](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[S 1314](#), by Commerce and Human Resources Committee, was read the second time by title and filed for third reading.

[H 523](#), by Health and Welfare Committee, was read the second time by title and filed for third reading.

11TH ORDER**Third Reading of Bills and Joint Resolutions****[HCR 38](#) - NATIONAL DAY OF THE COWBOY**

[HCR 38](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Miller to open debate.

The question being, "Shall [HCR 38](#) be adopted?"

Whereupon the Speaker declared [HCR 38](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

[H 504](#) - PUBLIC DEFENSE

[H 504](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Perry to open debate.

The question being, "Shall [H 504](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 68.

NAYS – Barbieri, Sims. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 504](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 508](#) - BAIL ENFORCEMENT AGENTS

[H 508](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall [H 508](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Bateman, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Dayley, DeMordaunt, Erpelding, Gannon, Gestrin, Gibbs,

Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, Miller, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 57.

NAYS – Barbieri, Batt, Crane, Dixon, Harris, McMillan, Mendive, Monks, Moyle, Nate, Scott, Shepherd, Sims. Total – 13.
Total – 70.

Whereupon the Speaker declared that [H 508](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 528](#) - SEXUAL ASSAULT EVIDENCE KITS

[H 528](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Wintrow to open debate.

The question being, "Shall [H 528](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 528](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [H 525](#), as amended, be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

[H 525](#), as amended - DOGS

[H 525](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [H 525](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 525](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 485](#) - EMPLOYMENT SECURITY ACT

[H 485](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

The question being, "Shall [H 485](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 485](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 501](#) - WORKER'S COMPENSATION INSURANCE

[H 501](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Packer to open debate.

The question being, "Shall [H 501](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [H 501](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 509](#) - OIL AND GAS

[H 509](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Boyle to open debate.

The question being, "Shall [H 509](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 69.

NAYS – None.

Absent – Romrell. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 509](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 514](#) - EDUCATION

[H 514](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Horman to open debate.

Mr. Crane asked unanimous consent that, pursuant to Rule 38, he be excused from voting on [H 514](#) due to a conflict of interest. There being no objection, it was so ordered.

The question being, "Shall [H 514](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Chew, Clow, Collins, DeMordaunt, Erpelding, Gannon, Gestrin, Gibbs, Hartgen, Hixon, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Malek, McCrostie, McDonald, Mendive, Miller, Moyle, Nielsen, Nye, Packer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Shepherd, Smith, Troy, VanOrden, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 51.

NAYS – Barbieri, Bateman, Batt, Cheatham, Dayley, Dixon, Harris, Holtzclaw, Luker, McMillan, Monks, Nate, Palmer, Scott, Sims, Thompson, Trujillo, Vander Woude. Total – 18.

Excused from voting – Crane. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 514](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 534](#) - ENERGY TAX

[H 534](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall [H 534](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon,

Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Packer, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 69.

NAYS – Loertscher. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 534](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Fifteenth Order of Business.

15TH ORDER
Announcements

Announcements were made to the body.

16TH ORDER
Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Thursday, March 3, 2016. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:12 p.m.

SCOTT BEDKE, Speaker

ATTEST:

CHRIS TAYLOR, Chief Clerk